

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: CATHODE RAY TUBE (CRT)) MDL No. 1917
8 ANTITRUST LITIGATION)
9) Case No. C-07-5944-SC
10 This Order Relates To:)
11) ORDER TO SHOW CAUSE RE:
12 ALL ACTIONS) APPOINTMENT OF A SPECIAL
13) MASTER PURSUANT TO THE CASE
13) STATUS CONFERENCE

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15 On August 7, 2015, the parties met for a case status
16 conference. Pursuant to discussion therein, the Court intends to
17 appoint U.S. Magistrate Judge (Ret.) James Larson as Special Master
18 and charge him to produce Reports and Recommendations ("R&Rs") on
19 all appropriate pending motions required for trial in the above
20 captioned case. See Fed R. Civ. P. 53(a)(1)(C). This includes all
21 summary judgment motions, motions in limine, and Daubert motions
22 pertaining to matters that will remain within this judicial
23 district, and further includes motions for cases that will be
24 remanded to a different jurisdiction of origin which Judge Larson
25 believes can be decided applying Ninth Circuit law without any
26 significant risk of conflicting circuit law resulting in appellate
27 issues. The Court would authorize Judge Larson to hold hearings at
28 his discretion should he believe doing so would be helpful in

1 resolving a motion pending before him. Judge Larson is appointed
2 with the express condition that all his R&Rs are to be provided
3 directly to Chambers for in camera review and he is not to share
4 them with or otherwise make them known to any party. See Fed. R.
5 Civ. P. 53(e). Once the Court has determined that settlements are
6 sufficiently finalized and the proper time has arrived to act on
7 the R&Rs, the Court will publish the collected R&Rs to the parties
8 for review, opportunity to be heard, and objections. See Fed. R.
9 Civ. P. 53(f)(1)-(2). To ensure all objections can be reviewed and
10 settled without endangering the soon-to-follow trial dates, the
11 Court intends to limit the time for objections to 10 days following
12 publication of R&Rs. See Fed. R. Civ. P. 53(f)(2).

13 This appointment and these restrictions will allow the parties
14 to continue in their efforts toward pending settlements while also
15 preparing the Court to quickly proceed to trial once dates are
16 announced during an upcoming trial setting conference. Any order
17 appointing Judge Larson will be understood not to alter the
18 appointment of Judge Vaughn R. Walker as Special Master over a
19 different subset of motions in this case.

20 Parties have already been given some opportunity to be heard
21 pursuant to Fed. R. Civ. P. 53(b)(1), but are hereby ORDERED to
22 SHOW CAUSE, in writing, within 10 days of the date of this order
23 should any have further objections to the Court's appointment. No
24 action is required should a party have no further objection. All
25 other matters discussed during the status conference are addressed
26 in a related minute order, ECF No. 3961, or else parties may file
27 their requests with the Court. In so doing, be advised the Court
28 has already carefully considered the order of trials and remains

1 disinclined to alter its announced plan unless the relevant parties
2 should settle and thus obviate a need for some of the trials.

3 The Court is made aware of settlements in the normal course of
4 filings by Parties. However, Parties are hereby ORDERED to also
5 notify any relevant Special Master of any settlements reached and
6 associated motions thereby mooted otherwise pending before that
7 Special Master on or after the date of this order. Such notice
8 must be given within 1 business day of reaching a settlement, shall
9 be given in whatever manner deemed convenient by the relevant
10 Special Master (vice being filed in ECF), and shall be separate
11 from any notice to or approvals otherwise required by the Court
12 (whose procedures remain unchanged). A "relevant Special Master"
13 includes Judge Larson, Judge Walker, or whomever else the Court has
14 or may in the future appoint to assist in pre-trial, discovery, or
15 other appropriate matters.

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17 IT IS SO ORDERED.

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19 Dated: August 17, 2015



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UNITED STATES DISTRICT JUDGE